Colorado Legislative Council Staff

SB17-099

FINAL FISCAL NOTE

FISCAL IMPACT: ☐ State ☐ Local ☐ Statutory Public Entity ☐ Conditional ☒ No Fiscal Impact

Drafting Number: LLS 17-0548	**Date:**	May 31, 2017
Prime Sponsor(s): Sen. Kerr	**Bill Status:**	Postponed Indefinitely
Rep. Rosenthal	**Fiscal Analyst:**	Chris Creighton (303-866-5834)

BILL TOPIC: NATIONAL POPULAR VOTE AGREEMENT

Note: This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

Summary of Legislation

This bill enters Colorado into an agreement to elect the president by national popular vote. Any state and the District of Columbia may enter into the agreement by enacting it. Requirements for when the agreement takes effect, terms for states to withdraw from the agreement, and the process for election officials to determine the national popular vote total and certify the national popular vote winner are described in the bill. This agreement terminates if the Electoral College is abolished.

Background

The Electoral College was established by Article II U.S. Constitution and modified by the 12th and 23rd Amendments. The president and vice president are chosen by the Electoral College which consists of a total of 538 members, one for each U.S. senator and representative, and three additional electors representing the District of Columbia. Each state has a number of electoral votes equal to the combined number of senators and representatives in its congressional delegation. Although the process can differ by state, these electoral votes are selected through a popular vote in each state.

Assessment

This bill is assessed as having no fiscal impact. The Secretary of State is responsible for certifying presidential electors and this bill does not change the process by which this is done, therefore there are no expenditure, revenue, or workload impacts.

Effective Date

The bill was postponed indefinitely by the State Veterans and Military Affairs Committee on February 15, 2017.

State and Local Government Contacts

Law   Secretary of State